

REMARKS

Applicants respectfully request continued examination of the present application, as amended, pursuant to and consistent with 37 C.F.R. § 1.114, and in light of the remarks which follow.

Applicants thank the Examiner for discussing the present claims with Applicants' representative. As discussed, the claims recite methods of treating a periodontal disease condition using a cetylated fatty acid. For the Examiner's convenience, Applicants attach hereto a copy of Hasturk et al., *Journal of Periodontol.*, May 2007, 78: 1-9. This article sets forth the data as already presented by Applicants in the Declaration of Robert Hesslink under 37 CFR 1.132, filed on March 23, 2006. At the time this Declaration was filed, the data had not yet published; this article is the published form of data presented.

If any further issues remain, Applicants request that the Examiner contact Applicants' representative to address them quickly, as discussed.

I. Claim Amendments

By the foregoing amendment, claims 19 and 35 have been amended, and claims 1, 8-10, 16, and 36 have been canceled without prejudice or disclaimer. Applicants reserve the right to file at least one continuation application covering any subject matter canceled herein. Claim 19 has been rewritten in independent form. In addition, claims 19 and 35 have been amended by cancelling the term "arthritis."

The amendments to the claims, including cancellation of claims, have been made without prejudice or disclaimer to any subject matter recited or cancelled herein. Applicants reserve the right to file one or more continuation and/or divisional applications directed to any cancelled subject matter. No new matter has been added, and entry of the foregoing amendments of the above-identified application is respectfully requested.

II. Response to Rejections Under 35 U.S.C. §102

A. Claims 1, 16, 19, 21, 22, 24, 33, and 34 stand rejected under 35 U.S.C. § 102(b) as purportedly anticipated by Diehl (U.S. Patent No. 5,569,676).

Claims 1 and 16 have been cancelled, rendering this rejection moot as to those claims. Furthermore, claims 19 and 35 have been amended to recite the treatment of periodontal disease. Diehl does not teach or suggest the treatment of periodontal disease.

Since each and every element of Applicant's claimed invention is not taught by Diehl, the reference fails to anticipate the claims of the present application. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

B. Claims 1, 8-10 and 16 stand rejected under 35 U.S.C. § 102(b) as purportedly anticipated by Meakin (WO 01/85162).

Claims 1, 8-10, and 16 have been cancelled. Thus, this rejection is moot.

C. Claims 1, 16, 18, 19, 21-31, and 33-36 stand rejected under 35 U.S.C. § 102(e) as purportedly anticipated by Lord et al. (U.S. Patent No. 6,417,227).

Claims 1, 16, 18, and 36 have been cancelled, rendering this rejection moot as to those claims. Furthermore, claims 19 and 35 have been amended to recite the treatment of periodontal disease. Lord et al. does not teach or suggest the treatment of periodontal disease.

Since each and every element of Applicant's claimed invention is not taught by Lord et al., the reference fails to anticipate the claims of the present application. Accordingly, Applicants respectfully request reconsideration and withdrawal of this rejection.

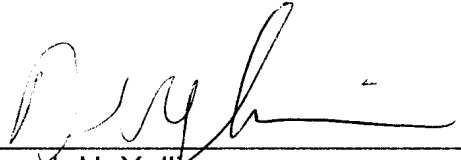
CONCLUSION

From the foregoing, further and favorable action in the form of a Notice of Allowance is respectfully requested and such action is earnestly solicited.

In the event that there are any questions concerning this amendment or the application in general, the Examiner is respectfully requested to telephone the undersigned so that prosecution of the application may be expedited.

Respectfully submitted,

Date: August 9, 2007

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